AS OF A SERPENT SAYS MAJ, LANIER

So Refers on Stand to Friendship of Upshur-Mr. Stuart

u gave to an officer of your com-list of names that had come offi-ito your office?

Helpful to Company.

destroyed

San Fran. fuccrebas. Podopsides. Diabetes. Podolopide. Brights. Benjamin.

Reputation Suffering.

been destroyed?
Ans. I met Judge Crump at the Com.

CABLEGRAM.

TRANSLATION. Benjamin Bros. are manufacturers' agents in Bydney, Australia, Greenhood is H. O. Green-hood, the exporter, of 221 Esthoome St., San

whole work. You don't have to discovery. You don't have be so if for jiterature it's right at your doors. Sould for jiterature it's right at your doors. MINOR DELIG CO. OWENS & MINOR DELIG CO.

When to suspect Bright's Diseaset Wonness or lines of weight; purity andles, hands or exclude, during the suspect from the first the third matth, thire may show bedfinent; fulling fating drogates; one or more of disea.

time—built with the same care as our suits for men. \$2.83 for Suits up to \$5.00. \$4.75 for Suits up to \$6.00. \$5.75 for Suits up to \$10.00 Overcoats and Reefers, same

Men's Double-Breasted Win-

"Berry's for Clothes."



es. Do you consider that your posi-with the commission was helpful to

Mr. Royall to Mr. Stuart.

Ans. I had Mr. Fairfax and Mr. Stua arned of Judge Crump's connection wi he Virginia Corporation Company, f fr. Royall told them at that time. Private Conference Held. had done all in his power to keep the corporation matters from being made rublic, and that it was only after he felt that his honor had been attacked that he made the matters public.

He then read a letter from himself to Mr. Urshur, asking him for a copy of "the charges," and stating that Judge Crump had stated that all the copies furnished to the commissioners had been destroyed.

Private Conference Held.

About this time the matter began to leak out, and a conference of some of the most prominent citizens of the State was held in the office of Messrs, Munford, Hunton, Williams and Anderson, I was not present, but Mr. Royall, my counsel, was. He told me 'hat Judge Keith, chief justice of Virginia; Mr. Braxton, Mr. Hunton, Mr. A. B. Williams, and the commissioners.

At that time I went to see Mr. A. B. Williams, to whom Mr. Upshur had already gone. I have his permission to mad the letters which subsequently passed between us. I want to say that I did all in God's world to settle this matter without publicity.

Miles I sales the seed a letter seed and the settle this matter without publicity.

Ans. I have Judge Crimp at the Commonwealth Club and we discussed the nature in a friendly spirit. I told Judge Crump that my reputation was aufforing from those charges of misconduct in office; that I could not look at honest man

matter without publicity.

Major Lanler then read a latter sent
by him to Mr. A. B. Williams, dated
May 26, 1905.

Mr. Alfred B. Williams,
Richmond, Va

Mr. Alfred B. Williams,
Richmond, Va.

Dear Sir,—Following up our conference
of yesterday, I desire to say further that
my resignation was called for by the commission professedly on the kround of irreconcilable differences between the chiefcleric and myself, but I was never even
offered by the commission an opportunity
to be heard, either upon those differences
or upon the charges the chief clerk filed
against me. I was told by the honorable
chalrman of the commission that no attention was paid to the charges, and that
they had no influence with the commissoners. Subsequent ovents, however, have
demonstrated them to be the most potential element in this whole unhappy conroversy, and the resion therefore manifest to one acquainted with all the facts.
I have never had reason to reproach
myself, nor have I ever had to high for
any electromismics in my life. From the
beatming of this trouble and he all of
its ramifications my hands are clean and
my coaclence unrulified by the knowledge
of the rectifude of my course. I have
some new yourse, it have
some and only even admitting for
the aske of argument that some of my
acts in connection with the Virginia Corpornation Company were indispersed. I have

ville, Va.7 Professor Wm. M. Lile, University of Virginia; Professor Charles A. Graves, University of Virginia.

I carnestly request that you arrange with the other side at the earliest practicable moment, as the matter has been pending a long time, with resultant injury to me, and communicate the results of your efforts to me or Mr. W. L. Royáll, my counsel, that we may all get together, select the members of the court and arrange the terms and details of the hearing.

Lie Choice

Menting Very respectfully, (Signed) A. SyDNEY LANIER. Mr. A. B. Williams then addressed the following letter to Mr. Royall, counsel for Major Lanier:

affair and be satisfactory to all concerned. I have not shown this to anybody, I will be very glad, however, if you will give it your immediate attention and without binding yourself or Major Lanler, indicate to me whether you think it would be satisfactory to him; or, if the general idea meets your views and interests, what changes from your standpoint are necessary to make it entirely satisfactory. When I have your opinion, if it is a that and infamous lie; and if there be such a sary to make it entirely satisfactory. When I have your opinion, if it is a tail they will such amendments as you may. We will such a mendments as you may on the release of the purpose is to submit the release of the purpose of manufacturing evidences of the commission of the purpose of manufacturing evidences of the purpose of manufacturing evidences and then to Mr. Upshur, or the purpose of manufacturing evidences of the purpose of manufacturing evidences of the purpose of manufacturing evidences of the purpose of manufacturing evidences. I do not write this letter for the purpose of eliciting from you either denial or confirmation that the Charges contains the commission in a proper and safe position hefore the pullic, which would be a vindication of the two men concerned, put the responsibility where it seems to me to belong, and at the same time leave the Commission in a proper and safe position hefore the pullic, which would be a vindication of the two men concerned, put the responsibility where it seems to me to belong, and at the same time leave the Commission in a proper and safe position hefore the pullic, which would be a vindication of the two men concerned put the responsibility where it seems to me to belong, and at the same time leave the Commission in a proper and safe position hefore the pullic.

The letter suggested by Mr. Williams was as follows:

Dear Str.—On May 11th this commission addressed to you a memorandum, as follows:

This memorandum has been printed.

Mr. Atkinson Replies.

The letter suggested by Mr. Williams was as follows:
Dear Sir.—On May 11th this commission addressed to you a memorandum, as follows:
(This memorandum has been printed.)
"This statement of reasons for asking your resignation was strictly there."



cially your superior, and entitled to our special consideration, because of his capacity and willingness for work, and his intense and complete devotion to the interests of the State and the demands of this commission.

When this letter was read by me, I could only think that it was prepared by the commission. It has the earmarks. There were propositions in it that I could not agree to.

Ques. What were those propositions?

Ans. They were trying to soft-soap me, but I would not have it. I was willing to go out into the world with a stigma cast upon my character. My counsel, Mr. Royall, then answered the communication, and I think it was fair.

Mr. Alfred B. Williams

Mr. Alfred B. Williams, Richmond, Virginia: My Dear Sir.—Your letter of e has been handed me. Without g details, it is enough to say that is several insuperable objections to

if. Lauler will then offer either one the following alternatives:

He will publish Mr. Upshur's letter as endorsed by the commission, to set rest the public rumors, and will renaise office; or,

He will end all connection with the ginla Corporation Company, Inc. and

dressed to Messrs. Stuart and Fairfax, denying the rumor that he had written

Mr. Atkinson Replies.

Mr. Norvell Atkinson, an employe of the Corporation Commission, was then placed upon the stand. Quess Were you, in the employ of the commission in 1905?

commission in 19057

Ans. Yes, sir.

Ques, It has been said that you saw
Mr. Tyler carrying out records from the
office. Is this so?

Ans. I saw Mr. Tyler walking down the
streets with a file box to the office of
the Virginis Corporation Company, I
don't know what was in the file box.

Ques, Have you seen Mr. Campbell
working in the office?

Ans. Yes.

Ans. Yes. Ques. Did you tell Mr. Upshur that Mr.

Ans. 108.

Ques. Did you tell Mr. Upshur that Mr. Tyler had carried off the file box?

Ans. No. I told Captuln Burrow.

Witness then stood aside.

Mr. J. A. Newby was then sworn and flaced on the stand.

Mr. Byrd: Please state what you knew regarding the matter being investigated.

Mr. Newby then stated that he was a stenographer in the officer of the State Corporation Commission; that he had written letters at various times for Major Lanier, two or three during business hours, some before 9 o'clock in the morthing and some after \$6 o'clock. I two the the charter of the Vigginia Corporation Company, and Major Engler in write the charter of the Vigginia Corporation Company, and Major Engler in sited upon paying me for the work, although I made no charge. Once I wrote a letter after \$6 o'clock for Mr. Camphell to the Richmond Cedar Works.

Later when I went to look for these and I again asked him how the analysis was progressing, and found that he had done nothing towards preparing it. Clerk at Own Expense. I then fold him to employ a man at my expense, for there were no funds in the hands of the commission to pay for an extra clerk. He said he could get a young

Davis the Charlet Vol Hava Always Bought signature Charlet Voltakes

disappeared.

ler. Did you know that Judge Crump
conected with the company.

is, I did. Major Lanier had repeated-

told me so, Ques. Did you tell Captain Barrow?

them.

All I ever got out of the Virginia Corporation Company was \$5.50.

Cross-Examination by Major Lanier.

Do you recall any conversation with
Mr. Upshur regarding the creation of the

Ans. Yos. I was in the office one night and Mr. Upshur showed me the orders that he had received from the commission and said that he would keep them from going into effect if he could, as they were distasteful to him.

Relations Were Pleasant.

Ques. What were the relations be-tween Mr. Upshur and myself up to the time of this order. Ans. Very pleasant, as far as I could

see. Cross-Question. Mr. Newby, you were could you have de-

Cross-Question. Mr. Nowby, you were my stenographer, could you have declined to write any letter I gave you? Ans. It depends on the letter. (Major Lanler then made the statement that Mr. Newby was his stenographer and it was his duty to write any letters he gave him. I desire to take all the blame, if there is any, that is all.")

The witness then stood aside. Mr. Irving Campbell was then sworn and made a statement.

statement. In the main, Major Lanier's statement

in the main, Major Lamer's statement meets with my approval. He was acquainted with things with which I was not. I have had numerous interviews with Judge Crump, and I am familiar with all the affairs of the company since its inception.

"Is Not True."

"Is Not True."

Mr. Upshur says he had no knowledge of the company. I say this is not true. He was in the room with us, and we have talked freely with him regarding the company, and when he says he did not know of this company, I say he is saying what is not true.

He talked with us, took an interest in our affairs asked what clients we had

and how our dustness was progressing.

Never until a very late day did he show any antagonism. Regarding the cards which he says we used, I will say that we had his permission. I did not know of the letter to Mr. Stringfellow, and I did not ask to withdraw the letter, and I did not ask to withdraw the letter, and I did not also. This stringers of

"States What Is False." When Mr. Barrow says I went alone to

closed the door. This was the first time he said, that he observed a lack of cor-

Mr. Campbell denied the charge he said Mr. Upshur had made that Judge Crump had conspired with Major Lanier in

had conspired with Major Lanier organizing the charter bureau of

with Judge Crump regarding your

Ans. I suppose so: I don't know.

Ans. Yes. Ques. Did Judge Crump know of your

Ques. Did you discuss the company's affairs with Judge Crump?

Ans. Yes. Ques. Dld you know that Judge Crump

Ans. Yes.
Mr. Campbell then made a statement justifying the action of his company in endeavoring to reduce taxation of com-

Ques. You idea of the moralities of

The E. B. Taylor Co.

Are Offering at Their Main-Street Store

Some Exceedingly Good Values in Roger's Silverware.

Roger's Silverware. Fancy Patterns.

Table Spoons, only \$1.50 per

Dessert Forks, only \$1.35 per

Table Forks, only \$1.50 per Sugar Shells, only 25c each.

Butter Knives, only 25e each.

Celluloid Knives. The Celebrated "Russell" Cel-luioid Knife, with steel blade, at 24c each.

Salad Bowls.

A special lot at 10c each.

Roger's Knives and Forks.

Don't miss such a chance as this to get a fine set of Heavy. Plated Knives and Forks, for only \$2.05 per set of twelve pieces. Carving Sets.

Three-Piece English Steel Carving Set for only \$1.49.

Bread and Butter Plates.

Some Very Handsome Plates t only 10c each,

Odds and Ends.

500 Fruit Saucers at 3e each, 500 Plates, all sizes, at 5e

Housefurnishing Goods.

We carry the largest and most up-to-date line in the South and at the lowest prices.

1011 East Main Street.

a statistical nature, rather than on practical and important subjects.

At Christmas, 1904, I again asked him for the analyses, and found that only a few papers had been prepared. A new year was near at hand, and I felt that the work must be done. I told my associates that I must have a clerk to take charge of the rates, and that the work of the commission must be divided. My associates agred with me, but were slow associates agred with me, but were slow associates agred with me, but were slow

In order to accomplish this change determined to dispense with the serv

In order to accomplish this change, we determined to dispense with the services of Captain Barrow, who I will say, had been a valuable man to the commission, and employ a rate clerk in his place, the contingent fund being so small that we could not employ both.

When Mr. Upshur learned of this proposed change he said he could not do the work of the office without Captain Barrow, and so I told him to keep Captain Barrow and that I would employ a rate clerk and pay him out of my own pocket. I did not employ a "rate expert" as has been stated, for anyone who is familiar with railroads knows that the sailary of such a man is more than the entire contingent fund of the commission, with the sailaries of all three commission, ers added. I employed Mr. R. T. Wilson and paid him \$125 a month, for I felt that the work must be done.

Later Mr. Fairfax insisted upon paying half of this expense, which we bore until Mr. Wilson became first assistant clerk, some five or six months later.

I go into these details because it was at my preremptory demand that the "statement" was issued and the changes made.

On the night of April 17, 1905, I found

until the 27th of April that we called Mr. Upshur into the office to discuss the matter with him.

Apparently Satisfied.

We told Mr. Upshur that we proposed to go into an investigation of the charges. I do not recollect what he said, but I do recollect that he seemed to be satisfied with the position we took in the matter. When Major Lanier came into the office, as well as I can recollect, Judge Crump said to him: "Major, you will recall that you spoke to me about certain charges that would be made. Air. Upshur has now made them." now made them."

He was asked a number of question:

panies.

Ques, You idea of the moralities of such an act is that they are proper?

Ans, Certainly not improper.

Mr. Campbell then retired.

"Shortly after the commission began its work, it was found that the contingent fund was not sufficient to run the office in the way it should have been operated, and the lack of clerical force was apparent to every one.

"When Mr. Wysor left the commission, Judge Crump was anxious that a young lawyer should be employed who would assist him in the business of charters. I wanted a rate clerk, but gave way to Judge Crump, and Major Lanfer was employed.

"This action we thought would give, Mr. Upshur, chief clerk, more than time for attention to the rates. I requested Mr. Upshur to make an analysis of classification of rate so that it might be determined if the railronds had been increasing the rates and I began the study of rates.

"I want to say that every man in the employ of the State Corporation Commission has always been overworked, and this applies from the president of the commission to the lowest clerk. The contingent fund is not sufficient to employ a proper force of clerks.

"Early in the summer of 1904, I asked Mr. Upshur if he had prepared the analysis and he replied that he had not had the time, but that he would prepare it later. On.

"Later Mr. Upshur came to my house and I again asked him how the analysis and and and the time, but that he would prepare it later. On.

that would be made. Mr. Upshur has now made them."

He was asked a number of questions regarding the charges and Judge Crump and I cross-questioned him.

He admitted many of the charges in substance, saying that he did have two young men of the office in his pay; that he had gotten tompanies to reduce their capital and so cut off State revenues. Some of the charges he admitted in officet, some in modified form and one he denied, but it developed that in the matter he denied there was no charge.

After he went out, I said that it was unnecessary to call Any witnesses, for Major Lanier's own statements had shown that he must bedismissed.

My two associates agreed with me.

I turned to Judge Crump and said that as Major Lanier was in his department, and as he (Crump) knew him (Lanier) better than we did, we would leave the matter of his resignation in his hands, but I added, "At all events he must go."

We decided that it was best for the office to dismiss Newby, but at the request of one of the commissioners we suspended action in the case of Tyler, who seemed to appreciate his mistake and who had enjoyed a fine record.

On May 3d Mr. Upshur requested that we suspend action, without giving any renson. We did suspend action until May 9th, and on advices from Mr. Unshur, making further charges, Judge Crump wrote Major Lanier on May 11th a letter asking for his resignation, and basing the request on the ground of Free-onallable differences between the chief clerk (Upshur) and Lanier, there Mr. Stuart went into a discussion of the let-ter.)

the letter, which met with the approval of his associates. By Mr. Byrd:
 Ques, Would you have dismissed Lanier for his connection with the Virginia Corporation Company?
 Ans. I should certainly have done so, but I considered the other reason a good one. I would say, however, that his active and rather improper connection with the Virginia Corporation Company was the controlling reason.
 I learned afterwards that Mr. Upshur showed great bitterness in stating his observed.

I learned afterwards that Mr. Ups showed great bitterness in sating his jection to the reasons we had given Lanler's dismissal. I only learned for I had, very few words with him any time. I had, therefore, very I opportunity of hearing his views on question.

Mr. Royall Calls.

Some days later, Mr. Royall telephoned to ask if he could appear before the commission. I sent him a message that two members of the commission were in the office and would receive him. When he came, accompanied by Mator Later we would be glad to listen to his formally. Mr. Royall then made quest for a copy of the Upshur chand presented a letter which heady been read. I informed Mr. that we would consider the mathis withdrawal. I said that as Lanier and Upshur were dissatistaought it would be well to make the world affair public and give or charges.

privileged communication, and explained

'privileged communication,' and explained the nature of such a communication and the reason of its being privileged.

"I then asked Mr. Hunton if we cond give out the 'charges' if Mr. Upshur consented. He replied: 'Yes.'

"I then asked if we could give out the 'charges' only with his (Upshur's) consent. He replied: 'Yes.'

"We finally determined to take no step until Judge Crump returned to Richmond."

The committee then adjourned until this.

The committee then adjourned until this afternoon at 3 o'clock.

INTERESTING LETTERS.

Attorney-General's Opinion Re-

garding the Upshur Charges.

garding the Upshur Charges.

Subjoined are certain letters which throw side lights upon the Corporation Commission tangle, and for that reason are interesting and valuable;

Richmond, May 20, 1905.

John A. Upshur, Escuire,
Richmond, Virginia;

Dear Sir,—You will find enclosed herewith copy of a letter addressed by the commission to W. L. Royall Esc., attorney for A. S. Lanier, from which you will observe that the commission has declined to furnish him a copy of the report made by you as chief clerk, containing charges against Mr. Lanier, first assistant clork.

We note in a communication addressed by you to the commission, under date of May 27th, that you quote in full a letter addressed to you by A. S. Lanier, in which letter Mr. Lanier calls on you for a copy of the charges made against him to the commission, in view of the fact that you may hesitate to furnish a copy of this report to Mr. Lanier, because it was an official communication, addressed to the commission, it is the desire of the commission that you you shall feel entirely at liberty to furnish Mr. Lanier with a copy of this report to Mr. Lanier, because it was an official communication, addressed to the commission that you you shall feel entirely at liberty to furnish Mr. Lanier with a copy of this report to furnish Mr. Lanier with a copy of this report to furnish Mr. Lanier with a copy of this report to furnish Mr. Lanier with a copy of this report to furnish Mr. Lanier with a copy of this report to furnish Mr. Lanier with a copy of this report to Mr. Lanier, because it was an official commission.)

Royall to Commission.

a letter asking for his resignation, and basing the request on itse ground of irreconcilable differences between the chief clerk (Upshur) and Lanier, filere Mr. Stuart went into a discussion of the letter.)

Mr. Stewart Questioned.

By Mr. Byrd:

Ques, Was the real reason given in that letter for the dismissal of Lanier?

Ans. Yes, a very good and sufficient reason. It had come to me from several sources that there had been for some